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U.S. MAGISTRATE
JUDGE

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	Magis. Case No. 2:08-MJ-328 RCW
Plaintiff,	:	FELONY COMPLAINT
vs.	:	VIO. 18 U.S.C. § 2113(a)
MICHAEL ERIC ONTIVEROS,	:	[BANK ROBBERY]
ROBERT SWIFT and JACOY KITER,	:	
Defendants.	:	

Before a United States Magistrate Judge for the District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I

On October 13, 2008, in the Central Division of the District of Utah,
MICHAEL ERIC ONTIVEROS and ROBERT SWIFT,
defendants herein, did by force, violence, and intimidation take from the person and presence of others, employees of Chase Bank, 1285 East 2100 South, Salt Lake City, Utah, cash belonging to and in the care, custody, control, management, and possession of said bank, in which the deposits were then and are now insured by the Federal Deposit Insurance Corporation, certificate number 3618, all in violation of Title 18, United States Code, Section 2113(a).

COUNT 2

On October 21, 2008, in the in the Central Division of the District of Utah,

MICHAEL ERIC ONTIVEROS and JACOY KITER,

defendants herein, did by force, violence, and intimidation take from the person and presence of others, employees of Home Savings Bank, 1455 East 2100 South, Salt Lake City, Utah, cash belonging to and in the care, custody, control, management, and possession of said bank, in which the deposits were then and are now insured by the Federal Deposit Insurance Corporation, certificate number 26798, all in violation of Title 18, United States Code, Section 2113(a)

Complainant states that this complaint is based on information by investigation consisting of the following:

I, Russell A. Johnson, being first duly sworn, depose and say:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed for the past eight years. I am presently assigned to investigate matters to include bank robberies and other violations of federal law. I have worked with detectives and officers of the Salt Lake City Police Department, and Other Special Agents of the F.B.I. to learn the following:

2. On October 13, 2008, the Chase Bank, 1285 East 2100 South, Salt Lake City, Utah, was robbed by one white male later identified as Michael Eric Ontiveros. It is a bank whose deposits are insured by the Federal Deposit Insurance Corporation

3. The robber entered the bank lobby wearing a ball cap and sunglasses and approached the teller area. He then produced a robbery note that demanded cash. The robber was given cash and he left the bank.

4. He climbed over a wall near the bank into an apartment building complex. A video in the parking lot of the apartment complex captured the robber entering a white Toyota Tundra pick-up truck as a passenger and driving away.

5. The truck was later identified as belonging to the father of Robert Swift. Swift's father identified the truck from the apartment photos and informed that Robert was currently driving the truck. There is a bed cover and stickers in the windows that help in the identification of the vehicle.

6. On October 30, 2008, Robert Swift was interviewed by the Salt Lake City Police and he denied being involved in the robberies. He consented to a search of his room at his father's residence and to a search of the truck.

7. On November 03, 2008, Ontiveros was interviewed at the Intermountain Medical Center located near 5300 South and State Street. After being appraised of his *Miranda* rights, Ontiveros admitted to robbing several banks including the aforementioned Chase Bank. He stated that he entered and robbed the bank while Swift waited in the getaway truck. He stated that Swift drove the truck. They both used the proceeds from the robbery to buy drugs.

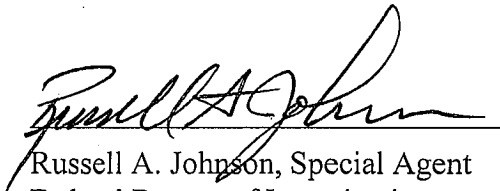
8. Ontiveros also admitted to robbing the Home Savings Bank on October 21, 2008. Regarding that incident, he stated that Jacoy Kiter was the getaway driver, and that she also helped to plan the robbery. Both Kiter and Ontiveros used the proceeds from that robbery to purchase drugs. Home Savings Bank is also a bank whose deposits are insured by the Federal Deposit Insurance Corporation

9. On November 5, 2008, Kiter was interviewed at the Salt Lake City Police Department headquarters. There, Kiter admitted to acting as the getaway driver during the Home Savings

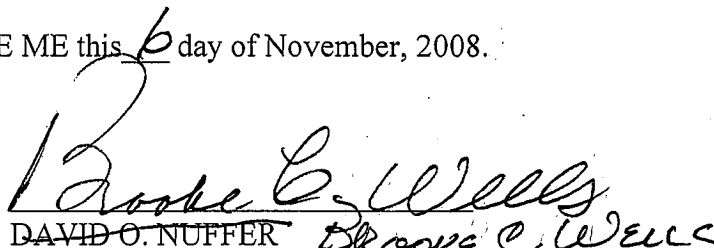
Bank robbery.

10. Based on the foregoing, your Complainant has probable cause to believe that MICHAEL ERIC ONTIVEROS, ROBERT SWIFT and JACOY KITER have committed the crime of bank robbery.

DATED this 6th day of November, 2008.


Russell A. Johnson, Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO BEFORE ME this 6 day of November, 2008.


~~DAVID O. NUFFER~~ Brooke E. Wells
United States Magistrate Judge
United States District Court

APPROVED:

BRETT L. TOLMAN
United States Attorney


ERIC G. BENSON
Assistant United States Attorney